

**GREENBERG TRAUIG, LLP**  
Ian C. Ballon (SBN 141819)  
1900 University Avenue, 5th Floor  
East Palo Alto, CA 94303  
Telephone: (650) 328-8500  
Facsimile: (650) 462-7881

**GREENBERG TRAUIG, LLP**  
Lisa C. McCurdy, SB# 228755  
Wendy M. Mantell, SB# 225544  
1840 Century Park East, Suite 1900  
Los Angeles, CA 90067-2101  
Telephone: (310) 586-7700  
Facsimile: (310) 586-7800

Attorneys for plaintiff, West Marine, Inc.

**SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP**

Allen Ruby (SBN 47109)  
Thomas Christopher (SBN 185928)  
Chandra S. Russell (SBN 271769)  
525 University Avenue, Suite 1100  
Palo Alto, CA 94301  
Telephone: (650) 470-4500  
Facsimile: (650) 470-4570

Attorneys for defendant,  
Watercraft Superstore, Inc.

**\*E-FILED: February 19, 2013\***

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

WEST MARINE, INC.,  
Plaintiff,

vs.

WATERCRAFT SUPERSTORE, INC.,  
Defendant.

Case No.: 5:11-04459 HRL

**STIPULATION TO EXTEND EXPERT  
DISCOVERY DEADLINES IN LIGHT  
OF CONTINUING NEGOTIATIONS  
REGARDING SETTLEMENT**

Judge: Magistrate Judge  
Howard R. Lloyd

AND RELATED COUNTERCLAIMS

**STIPULATION AND ~~PROPOSED~~ ORDER**

WHEREAS, pursuant to the Court's February 12, 2013 order (Docket No. 88), the deadline to submit rebuttal expert reports is currently set for February 22, 2013;

WHEREAS, the parties, Plaintiff West Marine, Inc. ("West Marine") and Defendant Watercraft Superstore, Inc. ("Watercraft"), have reached a tentative agreement concerning the settlement of all claims in this action, and are continuing to negotiate the terms of that agreement;

WHEREAS, in light of this tentative agreement, the parties have stipulated, subject to approval of the Court, to extend the rebuttal expert report deadline and the related cut-off for expert discovery by five business days;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between West Marine and Watercraft, through their counsel of record, as follows:

1. The deadline to submit rebuttal expert reports, currently scheduled for February 22, 2013, will be extended to March 1, 2013;
2. The expert discovery cutoff, currently scheduled for March 4, 2013, will be extended to March 11, 2013;
2. The parties will apprise the Court of any further developments regarding settlement.

Dated: February 15, 2013

Respectfully submitted,

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

By: /s/ Allen Ruby

ALLEN RUBY

Attorneys for Defendant

WATERCRAFT SUPERSTORE, INC.

I, Allen Ruby, am the ECF User whose ID and password are being used to file this Stipulation To Extend Expert Discovery Deadlines In Light Of Continuing Negotiations Regarding Settlement and [Proposed] Order. In compliance with General Order 45, X.B., I attest that the following signatory has concurred in this filing.

1 DATED: February 15, 2013

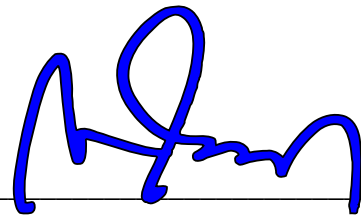
GREENBERG TRAURIG, LLP

2  
3 By: /s/ Wendy M. Mantell

4 WENDY M. MANTELL  
5 Attorneys for Plaintiff  
6 WEST MARINE, INC.  
7

8 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
9

10 DATED: February 19\_, 2013

11  
12   
13

14 HON. HOWARD R. LLOYD  
15 UNITED STATES DISTRICT COURT  
16 MAGISTRATE JUDGE  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28